

JOSEPH MCALEAR, individually and on
behalf of himself and all others similarly
situated,

Plaintiff,

v.

nCINO, INC.,

Defendant.

This matter is before the court with regard to the joint Rule 26(f) Report (“discovery plan”) submitted by the parties. [DE-103]. In the discovery plan, the parties request that document discovery commence immediately, but note that they disagree as to whether any non-document discovery is appropriate at this time. This disagreement is presently before the court on the pending sealed motion by the United States [DE-99], and the subsequent responses by both defendant and plaintiff [DE-100; 104]. The parties propose that many topics in the discovery plan be revisited following the court’s ruling on the pending sealed motion by the United States – including, but not limited to, the dates by which the parties must file motions to join other parties, amend the pleadings, complete discovery, and file dispositive motions.

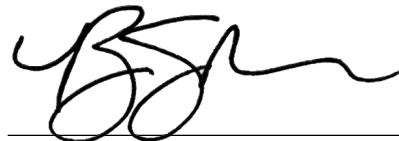
1. As stipulated by the parties, defendant shall make the initial disclosures required by Fed. R. Civ. P. 26(a)(1) by **June 17, 2022**. As stated in the discovery plan, plaintiff has already served the initial disclosures required by Rule 26(a)(1).
2. If the parties have not already done so, they shall commence document discovery upon the filing of this scheduling order.

3. Interrogatories and depositions are stayed until the pending sealed motion by the United States [DE-99] is resolved, unless otherwise ordered by the court.
4. Supplementation under Rule 26(e) must be made as prescribed by the Federal Rules of Civil Procedure.
5. Any party making an appearance after this order has been entered shall be required to confer with the other parties and make disclosures pursuant to Fed. R. Civ. P. 26(a)(1) within twenty-one (21) days after the party's appearance. Such party shall be bound by the terms of this order unless the party moves for and obtains amendment of this order by the court.

IT IS FURTHER ORDERED that counsel for plaintiff and defendant shall file a revised Rule 26(f) report within fourteen (14) days of the court's ruling on the pending sealed motion by the United States [DE-99].

The remaining portions of the discovery plan that are not inconsistent with this Scheduling Order are approved and adopted by the court.

SO ORDERED, the 9th day of June, 2022.

A handwritten signature in black ink, appearing to read 'BSM', is written over a horizontal line.

Brian S. Meyers
United States Magistrate Judge